

## SUMMARIES

### **Research into People's Views of Human Beings in Contemporary Society: Through an Analysis of Problems Related to Internationalization and Human Rights**

SUZURIKAWA, Shinshun

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#### The Objectives of the Research

The present age is often referred to as “the age of internationalization”. International exchange of merchandise and people as well as cultural exchange is increasing today. At the same time various problems and friction have arisen as a result. Therefore there is now pressing necessity for acquiring a better understanding of the state of affairs in foreign countries as well as their cultures. As might be indicated by the fact that the United Nations Human Rights Education Decade has started recently, the question of what internationalization should be like probably has greater importance today than in any other age.

The above-mentioned research team first examines the fundamental question of what internationalization and the understanding of foreign cultures mean and then treats issues related to the education of such people as young Japanese returnees, Ainu (aborigines) and non-Japanese living in Japan including Koreans from the viewpoint of the understanding of foreign cultures within Japan and “domestic internationalization”, that is, internationalization in Japan. The members of the research team, realizing that an in-depth understanding of human beings is indispensable for internationalization, think it necessary to discuss how ethics and human rights education should be conducted. The team also examines a variety of problems in contemporary Japan including problems related to discrimination against

minorities, poverty, environmental destruction, preschool education, school education, the handicapped, the aged, women and children, by viewing them in the light of mutual understanding and harmonious coexistence with importance attached to human rights.

When conducting this research, each member of the team was requested to examine problems relevant to internationalization and human rights in line with the theme of the joint research, thinking of them as problems which concern every one of us. The members of the team have a common realization that the search for the essence of international understanding and that of foreign cultures is a matter of importance concerning their own ways and views of life and is based on the importance placed on human rights.

#### Research Plans and Methods

In our joint research, the team sought out subjects related to human rights and “domestic internationalization” and through their research attempted to analyze people’s views of human beings in contemporary society.

In addition to looking into related records and literature, the team carried out wide ranging research, employing such investigative techniques as the use of questionnaires and interviews.

The members of the team plan to publish concrete research reports describing both theoretical aspects and realities.

The team’s theoretical research includes the analysis of research and investigation reports already published. Besides theoretical research, the analysis of the present situation is essential, for the issues and problems to examine are current ones. All the members of the team are therefore requested to conduct firsthand investigations in various parts of Japan and analyze their results.

## **“The View of Human Being” Seen in Relation to Internationalization**

TANAKA, Keijiro

Nowadays environmental problems are discussed in many places. The development of technology cannot proceed without maintaining the environment. We have come to recognize that we are living on the earth and we must discuss this problem globally. Many nations, races, religion exist in this world. We confess how human beings can live in this various world. Sometime dogmatism rise. So there is an urgent need to discuss “the inner internationalism”. It means how people with different cultures can be admitted into the school. We have been making an effort to communicate with foreign people. In our daily lives, we have refused to accept different cultures. Different people include returnees, foreign people in Japan, children who have a different sense of values or a different accent. The majority of children force their sense of value on the minority. In this paper, I study the educational mental-climate and its problems.

## **Internal Internationalization and Understanding Cultural Differences: Problems and Prospects**

WADA, Shuji

As all the peoples of the world today have been forced to live and act more closely together, there is a growing necessity to strive for greater understanding of cultural differences as well as to become individuals with active views towards internationalization.

However, understanding also infers interpretation, and interpretation presupposes the interpreter's own feelings and self-consciousness. Prospects for international cooperation and understanding of cultural differences require that we realize our own prejudices towards foreign cultures as well as a heightened awareness of our own. However, since the end of the Second World War, Japanese have experi-

enced a marked deterioration in their interest towards their own culture, hampering the internationalization of Japan.

If the most universally crucial theme to affect humans since the Cold War is that of “symbiosis” between all persons and living creatures, then we must develop and realize a new perspective of our world that promotes this symbiosis. However, the self-centered consumerist values that have developed through modernization and the views towards nature overtaken by the decisiveness of automation must be overcome in order for this to become a possibility. This new world perspective, the demand for which post-modernization itself has created, is formed on the basic universal idea that everything is interconnected and constantly changing.

At present, what the various nations of the world are searching for is not an urgent and set solution against this problem of internationalization. Rather it is to begin with specific action and communication that not only works positively towards this aim of symbiosis but also abides by each nation’s cultural traditions.

In Japan, the simple solution to internationalization has been to give precedence to the adaptation to outside pressures. However, to lead us into the new era of symbiosis and “internal internationalization” we must rediscover the “Japanese representative” based on these ideals, a feat which holds great educational importance.

One such person is artist Kyorai Endo for whom the outbreak of W.W. II marked a turning point in his life, and who during and after the war created a mandala tapestry which boldly demonstrated to the outside world, as well as within Japan, of Japan’s wishes for everlasting peace. It is this man’s life and thinking that is a defining model for these ideals.

## **Human Relations and Solidarity in the 21st Century: The Logic of Sameness and Difference**

BACHIKA, Reimon

Will internationalization of heart and mind become a cultural current in the 21st century? Will the idea of the universality of mankind take root firmly in a socio-

culturally diverse world? This paper compares human relations in premodern and modern societies, and attempts a look at the future.

Life in local communities and class stratification were the most notable features of premodern societies. On the one hand, the life of people everywhere revolved almost totally around the local community, and its boundaries were the boundaries of their minds. On the other, these societies were divided into classes, representing great differences in possessions, education, and life styles. The main factors determining their identities were group-belonging and other aspects of ascription. As a result, there was considerable social distance between the classes. A homogeneous feeling of community that existed in tribal societies now tends to be heterogeneous, reflecting class differences. While tribal societies were integrated on the principle of non-differentiation, the class societies of premodern times were hierarchically integrated. A common culture in both types of societies enhanced their integration.

What are the characteristics of modern societies? A total revolution appears to have taken place with respect to human relations. The horizon of modern life transcends not only local communities but also national boundaries. Through expanding education, differentiation of work and private life, selection of information and selective participation in culture, individualization and massification of consciousness is affected at the same time. Through individualization a sense of interpersonal difference is enhanced. Through massification a sense of sameness is fostered among various people. As a result, the tendency to absolutize sameness and in-group identities, both of which are factors of discrimination, is being counteracted, while a sense of communality transcending local communities and in-groups has a chance to develop. Weakened restraint of local communities and in-groups enable people to share particular parts of culture. Modern societies consisting of several differentiated social domains are only functionally integrated. They are no longer culturally homogeneous. In this atmosphere, the idea of the universality of mankind will tend to grow, and, while socio-cultural differences are greater than ever, in-group and out-group mentalities that used to characterize people everywhere may gradually disappear.

**Education of Children with “Different” Ethnic, Cultural and  
Social Backgrounds:  
The Study of the Human Perspective in Multiculturalism**

NAKAJIMA, Tomoko

With recent progress in internationalization and human rights consciousness, the problem of how to understand “human beings” has become a pressing issue. Particularly in Japan, whenever education is discussed, “human beings” are treated as abstract/philosophical existence. However, a sociological/anthropological/psychological viewpoint is required now. In other words, it is required to observe human beings as concrete existences, and not abstractly as existences having the same qualities.

The first part of this paper clarifies the transition of the view of human beings from existences having the same qualities to existences having different qualities by analyzing the development of education as it is related to human rights in Japan. I view this development as beginning with Buraku children “who do not differ in any way from other ‘Japanese’”, and widening to include Korean children living in Japan, and further to children from various other countries.

In the second part, I deal with the view of human beings on which multiculturalism or multicultural policy is based. Here I analyze the relation of the individual and the group, the possibilities for change, and who is expected to change. I suggest that the possibility of the individual changing is estimated lower because the group is given priority. The model I found is that the minority is expected to change or both majority and minority are expected to recognize their difference with each other. But we can not find the model in which both are expected to change.

In the final part, I offer this new model as providing a possibility for critical multiculturalism. In critical multiculturalism, both mainstream culture and minority culture are relativized and the difference is used for common cultural construction. Therefore, it will be possible to search for a new direction of differentiation whose aim is the dismantling of the majority. It is hoped that this will bring about

the acceptance of diversity within the majority without forcing differentiation only on the minority.

## **The Buddhistic View of the Human Beings and Human Rights: As Viewed from the Concern with Problems of Modernization**

Fujimoto, Kiyohiko

In the first section, I clarify the view of the human being based on Buddhism. In Japanese religious thought, the view of human beings becomes concrete in both Zen Buddhism and Amida Buddhism. In the second section, I survey of the “relation of being and co-being”, which is really the problem of the modern philosophy and religions as modernization. Next, I will discuss the extent and the universal character at the root of these problems. It is some aspects of the modernization based on the Buddhism that the reality of “the modernization of the Buddhism” lies down just like as co-relation to the topics of the second section. I consider the real proposition as the thought of “co-being” in modern Pure Land Buddhism (Amida Buddhism) and its evolutions in the fourth section.

The topics of this study derive from the Buddhism concept of “relation and co-being (*engi* and *kyosei*).” Namely, it prompts us to understand that there are no substance. Things exist only through “relation (*engi*).” This is shown by the Buddha’s famous preaching of “metaphor of the reeds bundles.” It is said that “this exists because that exists, that exists because this exists.” The logic of being is that nothing ever exists in itself. To be more specific, it means the logic of “*engi*” as relationship. This logic, I think, may be used as the logic of internationalization today.

In the fifth section, I show how these topics are naturally related to the subject of “human rights”. It is related to the question “Is it possible to interpret the word ‘human rights’ as a Buddhist word?” Finally, in the sixth section, I try to understand human rights as the realization of “the Original Vows.”

We must consider the subject of human rights as a Buddhistic theme from

the viewpoint of the Buddhist view of human beings. But if we study Buddhism by focusing on dogma and documents, we can not expect such needs as these to arise in the study of Buddhism. So there is a need to reexamine the stance of Buddhism. Indeed it may be much harder to consider human rights as a positive theme in Buddhism. Nevertheless, the question of how Buddhism can meet the problems of human rights is surely a historically important theme for Buddhism if it is to remain a living faith in Japan.

As mentioned above, by considering the topic of the modernization as a multi-dimensional problem, I hope to elucidate the meaning of modern society.

### **The Definition of the United Nations Human Rights Education and the Reconstruction of Dowa Education**

NAKATA, Sunao

Today dowa education is faced with a new issue. During the past 28 years, the living conditions in dowa quarters have been greatly improved, as a result both of the special measures law and our interest in human rights problems in a rapidly globalizing society. Hence, we are now required to consider how dowa education should be reformed in order to cope with such changes. We must above all grasp the actual state of present-day dowa education and attempt to reconstruct future dowa education based on previous circumstances.

Based on research conducted by the author in order to grasp the realities of dowa education in both school education and social education, as well as other surveys, issues of dowa education in each field are summarized as follows:

- 1) Dowa education in school education:
  - a) More intellectual understanding (imparting knowledge) learning
  - b) Less learning of content focusing on developmental stages
  - c) More learning development based on teachers' subjective thoughts and ideas
- 2) Dowa education in social education:
  - a) More learning to foster those who understand and less learning to produce those who practice



- b) More “rote” learning (memorization-type) and less “thinking” learning (analytical-type)
- c) More administration-controlled learning and less privately-controlled learning

What can be said in both types of dowa education is that most of it is confined to intellectual understanding. It has not advanced to the stage where it can be put into practice. What is the reason for this situation? It is simply that there still exist social relationships in society where many problems of discrimination occur.

And what has made this matter clear is the following definition of human rights education regarding “ten years for the United Nations human rights education” passed by the 49th United Nations General Assembly on 23 December 1994:

“Human rights education is defined as the march to build human rights culture around the world by imparting knowledge and skill and cultivating attitudes through education, training, publicity and the supply of information.”

What this definition of human rights education means is that, however the idea of human rights might be understood intellectually, unless we change social relationships where various discriminatory problems arise, the concept of discrimination which exists as a part of our social consciousness (ie., common consciousness) cannot be eradicated. Thus, the creation of a human rights culture must become a basic issue; that is, it is important to tackle unfavorable traditions and unfavorable customs developed throughout the long history of discrimination. Hence, dowa education also needs restructuring to provide an educational content which can play a vital role in human rights education. It must promote a point of view favorable to a new set of non-discriminatory practices.

### **Women’s Rights and Equality in Education: The Realities of the Hidden Curriculum and a Counterplan for Improvement**

NISHIOKA, Shoko

On the surface it might seem that the coeducational system, almost by definition,

has achieved equality of education between the sexes. However, in reality, there remain several critical issues. One glaring obstacle to true equality of education is the establishment of different minimum examination scores for boys and girls seeking to enter coed high schools. Another problem is that several options allow boys to avoid studying homemaking courses although girls are required to do so.

In addition, the contents of textbooks reinforce gender-stereotyped roles as well as discrimination on the basis of sex. Such curriculum materials are antithetical to the objective of fostering ideas of equality between women and men. Furthermore, the effects of the hidden curriculum — that is, teacher-student interaction in the classroom — have become more clearly understood. Research into this topic has attracted interest in the U.S. and given rise to a movement to correct the effects of the hidden curriculum.

In 1997 I surveyed university students and gathered evidence of the widespread existence of four types of such hidden curriculum. My 1998 survey clearly revealed the link between the hidden curriculum and inequality between men and women. This study also showed that groups based on gender and types of colleges, for example, differ in their consciousness of the question of equality between women and men. This research further demonstrated that traditional gender stereotypes are reinforced within the families of junior college students, as distinguished from four-year college students.

In keeping with the principles set forth by the United Nations, in Japan a movement has developed to promote “cooperative participation in society by men and women” and to foster equal education for girls and boys. In Shiga Prefecture’s teacher training institutions all programs include courses entitled “Cooperative Participation in Society by Men and Women,” and class lectures promote the ideal of gender-equal education. In almost half of all elementary schools and high schools, lists of students’ names are alphabetical without respect to gender, whereas throughout Japan, almost always the list of boys’ names has preceded the list of girls’ names. In Otsu City and Ritto town in Shiga Prefecture all schools use the gender-equal list of names. In the near future, Kyoto Prefecture and Kyoto City will implement gender-equality courses in their teacher training programs.

These are but the first steps toward true gender-equal education in Japan. The

prime minister's office's support for "The Plan of 2000 for Cooperative Participation by Men and Women" is crucial in making this a high national priority. Further research is important to inform our actions and bring us to our goal by the year 2000.

### **Cultural Pluralism in Japan and the "Inner Internationalization": The "Inner Internationalism" in Okinawa Prefecture**

TANAKA, Keijiro

At present, the educational system in Japan must prepare for international education or cross-cultural education. It is important for us to accept children with different values and different cultures. Korean students in Japan and Chinese students identify with their own cultures in their racial schools. If Japanese children come into contact with them, they can accept them and see their Japanese culture objectively. Many measures to admit returnee student are being taken in elementary school, junior high school and high school. Also many universities intend to admit returnee actively.

Okinawa prefecture have been influenced by Japanese culture. While the Ryukyu kingdom was governed by the Shimazu clan during the Edo period, it accepted Chinese culture. But during the Meiji period, Okinawa was forced to Japanize. After the Second World War, it was governed by the United States of America. Thus Okinawa developed in an original way. While Okinawa has its originality, it must accept the Japanese educational system. A study of Okinawa will help show the future of education in other prefectures.

### **The Education of Foreign Language in Childhood**

YOSHIOKA, Tsuyoshi

Language acquisition is an essential requirement for internationalization. But it is very hard to acquire a foreign language. It is difficult to say that foreign lan-

guage education has been successful in Japan. Thus there has recently been a movement in the Central Education Council to propose the teaching of English conversation from elementary school.

This paper questions from various angles whether it is meaningful to teach a foreign language from elementary school. With examples drawn from elementary schools specially designated as model schools by the Ministry of Education, I have shown that, despite the great efforts of the teachers, many problems concerning foreign language education at the elementary level remain. “Why English?” “What is ‘language’?” “What is a ‘mother tongue’ and ‘regional dialect’?” There are some of the questions that can be raised.

In this paper, I focus on the “sense of order” which lies hidden within language, which forms the basis of human abilities, and indicate the view of humanity which lies at the basis of morality and culture. I indicate the problem inflicted on the nature of children by the public and collective teaching of a foreign language from an age in which they acquire their native tongue. In particular, I propose that we must seriously consider the possibility that it may violate the unique character that each child possesses.

### **A Study of Multi-cultural Understanding Education for Preschool Children: Various Problems of Physical Education and Sports**

KANEDA, Hiratoshi

In one's childhood, exercises are the bases of all behaviors. It is said that whether a child is a good athlete or not influences not only his athletic abilities but also his whole development. In other words, being on the same athletic level as the children around him helps in the development of his other abilities, such as being sound in mind and body, socialization, self-identification and self-evaluation. Plays with exercise promote athletic development. However, factors that prevent children from exercise and games are increasing, for example, overnutrition, a decrease in playgrounds and decrease in the size of the family. These days, their exercise and

games are considered as “gymnastics or sports”. Besides, sports clubs like swimming schools or gymnastic clubs that help them to learn advances athletic skills are very popular.

Some nursery schools and kindergartens that regard exercise and games as physical training provide athletic educational program. Some of them have adopted soccer and gymnastics.

In this paper, I take up physical education and sports and study their problems from the viewpoint of little children’s surroundings and development. I investigated the decrease in playgrounds, which is a factor in children’s environments. The decrease differs from place to place. The children’s environment is now such that they cannot go out to play if they want and even if there are places to do so. This is a serious problem. Therefore regional cooperation to help children play freely is needed. Parents must also alter their perception of play.

There are two guidelines for physical training games: “Excercise induced by environment type” and “Problem-solving type”. In each guideline, I focus on the problem of parents’ understanding of physical training that influences children’s sociality and self-evaluation. Concerning children’s sports, there is the possibility of overwork-syndrome and exhaustion-syndrome (both problematical at an early age). Moreover, some children are not only unskilled in techniques of specific sorts, but also in undertaking basic movements.

Considering these problems, I discusses the possibilities that arise from viewing sports as play. At an early age, “sports” are taken for “play sports”, and media such as television are very useful to arouse the curiosity of the children. And I suggested that play is the basis of multi-cultural education for preschool children.

## **Issues of Human Rights in Modern Society**

MURAKAMI, Naosaburo

Each researcher approached the problem of of human rights from the perspective of his or her own specialization and worked to elucidate the ideal view of humanity.

The discovery of new problems, such as the plurality as seen in the transformation of the image of the family as well as problems in coping with people of low income, women, the handicapped and the elderly and incomplete state of policies regarding them, have been recognized as new perspectives when considering the problem of human rights. In the realm of internationalization, the relation of humans and human rights and the attempts of nations to come to grips with problems were indicated as future topics. New inter-disciplinary fields of research, such as "Medical Care Anthropology", have been proposed from the standpoint of human rights.

**Various Problem in the Field of Human Rights and  
Research into People's Views of Human Beings  
as seen in the Problem of Poverty**

KATAOKA, Yasuko

The problem of poverty has changed in quality during the age of high economic growth in Japan. The Japanese became well off and the standard of living rose. However the Japanese had mixed feeling about their consumption. Peoples sought a standard level of life, and increased their income. As a result, peoples have little to live on. These phenomena resulted in many people feeling instability in their lives. The problem of poverty is expanding in the present age.

On the other hand, the people's spiritual life is changing. They know that being well off brings no spiritual fulfillment. But they wish for a standard level of life. It is very difficult to work out these contradictions. However, we have never sought for a new solution to the problem of poverty.

In this paper, I studied people's views of human beings as seen in the livelihood protection law. Regarding this, I have discovered two problems. On the one hand, there is the stigma attached to it, and on the other, there is succession of poverty in the generation.

The problem of poverty has become the problem in the general public. People are beginning to sense the need to resolve it.

## **A Study of Immigrants' Poverty and Task of Social Security in Japanese Society**

FURUKAWA, Takashi

An increase in the number of foreigners living in Japan has resulted in the need to deal with the so-called “internal internationalization” within Japanese society. The right of foreigners to receive social security is poorly observed and they are forced to live in poor conditions. Under such conditions, they have formed minority groups, and are classified as workers of the lowest class like the lowest Japanese part-time workers. They are discriminated and classified as an lowest social class by ascribed-achievement in Japanese society. In this paper, I discuss these problem in terms of the relation between the Japanese social security system and issue of citizenship of immigrants.

## **Internationalization within Ourselves: Human Rights and Social Welfare**

SAWADA, Kenjiro

The main objective of this study is to discuss human rights and social welfare for foreign residents in Japan from an interdisciplinary perspective. This study is significant, not only in building closer relationships between other countries and Japan, but also in understanding Japanese systems and multidimensional perspectives concerning human rights and social welfare for the foreign residents in Japan. I introduce the current system for foreign residents of Japan and point out problems that arise from the Japanese government's policies.

Currently, the Japanese government adopts a restrictive policy concerning social security benefits to foreign residents in Japan. In the national pension law and three other welfare laws, only those who hold Alien Registration Cards are permitted to apply for these programs. Numerous foreigners cannot receive benefits due to the government's passive or negative views about them. Therefore publicity activities

for social service for foreign residents is not actively pursued, except in some local governments.

In this study, I compare social service programs for foreigners in Japan with those in Europe and America. In addition, I discuss American empowerment models, group work programs, and other relevant programs for minority group. Comparative studies are very useful in solving such problems and building a new system for foreign residents. This is a new challenge for the Japanese government as well as individual Japanese citizens in preparing to build a new country with international perspectives in the 21st century.

### **Studies on Attitudes Toward Elderly People: Through Various Aspects of Human Rights Problems**

SAKAMOTO, Masatoshi

From days long past, we have treated the aging population in society with respect and courtesy, and provided them with family support. At the same time, however, the elderly have often found themselves victims of abuse, abandonment and even slaughter. This means that these two conflicting attitudes toward aged persons still exist in our minds.

Ideally, our attitudes towards these people should rest upon the idea of respect for the aged. Emphasis should be placed on showing them courtesy, and families should support their elderly members. Any attempt to acquire these traits requires the process of learning about the assets our ancestors left for us, such as the concepts of human rights and human dignity. However, simply learning about the meaning of these ideas is not enough. The important thing is to trace the history of human rights and learn about the agony and pain our ancestors underwent on their way to forming such concepts.

The same thing seems to apply to any of the legal systems governing welfare activities. Studies about the objectives, concepts, principles, and responsibilities of a welfare-related legal system should give rise to knowledge concerning the history of the afflictions and painful experiences that people had to have before the welfare



concept was enacted into law. Also, in the provision of welfare service, it is considered important that both the beneficiaries of the welfare system and those who provide them with assistance are united to implement the system, bearing in mind its objectives and principles.

### **On the View of Human Beings in Modern Society from the Standpoint of the Severely Disabled Services and the Problems of Human Rights: Through the Change of the Disabled Welfare Legislations**

YAMANISHI, Tatsuo

This paper suggests how our view of severe disabilities and of disabled people should be, by reflecting on the progress of the legislation of physical disabled persons since 1949 in Japan. I analyze how this legislation includes the understanding and recognition toward the severe disabilities, and what support it has provided for.

The legislation of physical disabled person, which extends 50 years, had two major turning points. The first was made in the late 1960s when Japan experienced a phase of high economic growth. It was caused by widespread recognition that the strategy which supports physical disabled persons with less opportunities to be engaged and those considered difficult to work in the development of capital society of Japan was needed, and the strategy of persons with disabilities who need help was needed as a social issue.

The second turning point was made in a phase that the understanding and support for the severe disabilities were largely converted in the process of making and carrying out the program of Japan according to the United Nations' "Resolution on the Rights of Disabled Person" in 1975, and as a result, decided '81 as "International Year of Disabled Person", and a decade from '83 as "A Decade of Disabled Person".

These two turning points, and the strategies to understand and reduce social difficulties of severe disabilities, and the strategies to live toward social independence, however, still is a great problem itself because of its feature to be promoted

moderately behind the system and finance of Japan. This paper concluded that to cope with this problem we should listen to the opinions of disabled persons more carefully, have interest in them, satisfy the social needs on the responsibilities of society, and guarantee and construct a progressive humanity and society.

### **Considerations on the Proper Human Perspective and Conceptual Image of Humans in Regard to Health and Medical Care**

SUZURIKAWA, Shinshun

This thesis focuses on the “proper human perspective”, including related policies, obstacles and contemporary themes through an in-depth review of “the human perspective and conceptual image of humans in this modern society” and analyzes the present problems in the fields of health and medical care (especially in regard to various issues related to human rights and welfare).

It is generally known that in the present state of affairs, no matter how much scientific knowledge on human beings is accumulated, *humankind* still remains an enigma. It can certainly be said that everyone has formed his or her own unique understanding and opinion in regard to the question, “What are human beings?”

Thus, this study is an attempt to disclose the realities of various problems related to human rights and welfare (injustices being practiced on human equality and dignity), and with this as a backdrop, to review the present situation concerning “the human perspective” in regard to health and medical care. Further, with reference to the existing interpretation of this concept, I have attempted to draw as complete a picture as possible of the way the human perspective and conceptual image of humans should be, a real and concrete view of “the proper human perspective”.

It is our hope that this study may be of some help in the establishment of corrective measures appropriate to the present situation in regard to modern medical science and medical care and the revision of the present “human perspective”. For example, claims against the necessity of such scholastic fields as *Medical Care Ethics* and *Medical Care Anthropology* may be based on the line of reasoning leading to a

“proper human perspective”.

**The Amendment of Equal Employment Opportunity Law  
and “New Japanese Management”:  
Mainly the Abolition of “Women’s Protection Provision”**

FUJII, Toru

The purpose of this paper is to clarify the causes of the abolition of women’s protection provision in Equal Employment Opportunity Law. This paper, therefore, pays attention to the claims made in the *Japanese Management of the New Age* (*Shin-jidai no nihontekikeiei*) published by Japan Federation of Employers’ associations in 1995. Furthermore, this paper deals with the attitudes of the trade union and the government concerning the women’s protection provision in recent years.

The conclusions of this paper are as follows. The abolition of women’s protection provision resulted from the restructuring of Japanese management, including reconsideration of “*nenko*” (long service)based remuneration system and lifetime employment, under the influence of the yen appreciation against the US dollar after the mid-1980s. That is to say, Japan Federation of Employers’ associations saw the women labour as the key factor in determining the success of restructuring Japanese management. The trade union (Japanese Trade Union Confederation) approved the abolition of women’s protection provision owing to the expansion of the employment after 1996. Lastly the fundamental economic policy of Japanese government was deregulation and the abolition of women’s protection provision was seen as the part of deregulation. Women’s protection provision was abolished as the result of such factors in 1997.

## Welfare Education and Some Issues of Welfare and Education

MURAKAMI, Naosaburo

### 1. Public Opinion Trends and One Suggestion for Education

Research of national social awareness has revealed the unstable states of Japanese present and future politics, economics, peace, etc. The deplorable state of education has something to do with these social conditions, and prompt reform of the educational system is a necessity. Some suggestions have been made for its reform. The reform of school itself is an urgent necessity.

### 2. Considering Men and Women (An Approach to an Outlook on Human Being)

To carry education and welfare to perfection, an investigation into the basic outlook on human being is indispensable. I tried to suggest the next three points structurally: (1) What a human being should be essentially, (2) some phases of actual problems, and (3) main causes of some problems in the background.

### 3. Problems of Welfare Education (From the Point of View of Human Rights)

In January 1946, the Ministry of Education published a New Guide to Education and clarified the mission of educators in order to foster a cultured nation. Since then, half a century has passed. Have we build up good citizens in line with the Guide?

During the 1960's, in a period of high growth of Japanese economy, school education has been advanced mainly to develop children's abilities, as suggested in the report on developing their abilities by the Economic Council. On the other hand, the importance of leading a truly human life has been slighted. Welfare was left out in education.

In July 1996, the Central Education Council published *The Coming Fundamental Course of What Education Should Be*. It called for "the power to live dynamically." If we take it as "the power living vigorously", we can praise the report highly. To realize "the power of living vigorously," we must ensure as human rights the "rights of education" and "rights of welfare", and learning centered on the children should be carried out. Furthermore we should nurture human sensitivity and sentiment in children.

Welfare education is one based on these ways of thinking. We can say it is human rights education which everyone is valued highly.

We are in the fourth year of the years' program of the United Nations Human Rights Education. Its main object is to work for a human rights culture all over the world. Human rights education as welfare education is to bring up young people who will support human rights culture. It will be important for us to recognize this. And the doctrine of the treaty of children's rights should be made a reality.

### **Globalization and Human Rights: The Change of Intellectual Paradigm**

IDA, Kazumichi

It is essential for us to understand deeply the meaning of the charter of the United Nations.

“We the peoples of the United Nations determined to save succeeding generations from the scourge of war, which twice in our life's time has brought untold sorrow to mankind, and to reaffirm faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women and of nations large and small, and to establish conditions under which justice and respect for the obligations arising from treaties and other sources of international law can be maintained, and to promote social progress and better standards of life in larger freedom, and for these ends to practice tolerance and live together in peace with one another as good neighbours, and to unite our strength to maintain international peace and security, and to ensure by the acceptance of principles and the institution of methods, that armed force shall not be used, save in the common interest, and to employ international machinery for the promotion of the economic and social advancement of all peoples.”

A welfare community must be a coexistent society based on the “World Human Rights Declaration” where we should “act, aiming at a communal society and freedom, equality, the principle of give and take, and the spirit of fellowship of all the people with the tools of playing together, learning together, working together,

rewarding together, responding together, cooperating with one another and understanding the another.”

In order to realize welfare society, it is indispensable that all the Japanese people “be respected as individuals. Their right to life, liberty, and the pursuit of happiness shall, to the extent that it does not interfere with the public welfare be the supreme consideration in legislation and in other governmental affairs.” (Article 13 of the Constitution)

And also it is essential that in our daily lives “all people shall have the right to maintain minimum standards of wholesome and cultured living” (Article 25 of the Constitution) that accords with the minimum standards of present life.

### **A Chronology of Precedents related to International Human Rights and their Reflection on Interpretation of the Japanese Constitution**

KOYAMA, Chikage

There are two human rights standards, a domestic one based on the Constitution and one based on international treaty. They are both legal resources of human rights criteria in Japan. However, historically speaking, Japanese human rights ruling has developed, under the initiative of the Supreme Court, almost solely on the basis of the former. The international covenant on civil and political rights were ratified by Japan in 1979, but it has neither been used, nor referred to in domestic rulings because of its unfamiliarity among judges and lawyers. The international covenant on civil and political rights sets up the human rights committee as a supervisory body for implementing the covenant by state parties. This committee developed and clarified the international standards by considering each state party’s periodic reports and individual communications under first optional protocol to the covenant.

The existence of discrepancy between international and domestic standard in solving concrete cases is not desirable. If left alone, there would be two correct sources for law, leading to different interpretations and the recognition that the

interpretation and implementation of the same covenant may differ in different countries. Japan has confronted its difference from the human rights committee through the consideration of periodic report under the covenant, but not through the views of the individual communications under the first optional protocol to the covenant which has not been ratified by herself yet. It was only recently that the views of individual communications has been referred to by a few lawyers as a part of the standard by the human rights committee in domestic court. Recently some Japanese courts have adopted the international standard to change the domestic one, but they are not in the mainstream. It is urgent to ratify the first optional protocol to the covenant to overcome this situation. Ratification of the first optional protocol to the covenant could create positive bilateral communication between Japanese domestic courts and the human rights committee in dealing with the same individual case.